

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAKRISTIN HOFFMAN,
Plaintiff,

v.

PATRICK PALACIOS,
Defendant.

Case No. 24-cv-01564-NC

**ORDER TO SHOW CAUSE RE
JURISDICTION**

Re: EFC 1

Self-represented plaintiff Kristin Hoffman brings constitutional claims against a California superior court judge. ECF 1. This Court does not have jurisdiction over claims against state court judges acting in their judicial capacity. *Munoz v. Superior Ct. of L.A. Cnty.*, 91 F.4th 977, 981 (9th Cir. 2024). Accordingly, this Court orders Hoffman to explain in writing why this case should not be dismissed for lack of jurisdiction.

I. FREE HELP OFFERED TO SELF-REPRESENTED LITIGANTS

As a free service to self-represented civil litigants, the Federal Pro Se Program at the San Jose Courthouse provides free information and limited-scope legal advice. The Federal Pro Se Program is available by phone appointment at (408) 297-1480. There are also online resources available on the Court's webpage. The Pro Se Handbook, found at: <http://www.cand.uscourts.gov/pro-se-litigants/>, has a downloadable version of the Court's publication: *Representing Yourself in Federal Court: A Handbook for Pro Se Litigants*.

II. FEDERAL COURTS MUST HAVE JURISDICTION OVER CLAIMS

Hoffman filed this complaint in federal court. Federal courts must have jurisdiction to hear claims. “Generally, States are immune from suit under the terms of the Eleventh Amendment and the doctrine of sovereign immunity.” *Whole Woman's Health v. Jackson*, 595 U.S. 30, 39 (2021). Federal courts thus lack jurisdiction over claims against states. *Munoz*, 91 F.4th at 979. As a part of a state’s “machinery,” “state court judges cannot be sued in federal court in their judicial capacity under the Eleventh Amendment.” *Id.* at 981. Because “Eleventh Amendment immunity is a threshold jurisdictional issue, [federal courts] have no power to resolve claims brought against state courts or state court judges acting in a judicial capacity.” *Id.*

Hoffman sues a California superior court judge for actions taken “in a judicial capacity.” *See id.* Thus, this Court does not appear to have jurisdiction over her claims. *See id.*

Accordingly, this Court orders Hoffman to explain in writing by April 1, 2024, why this matter should not be dismissed for lack of jurisdiction. If Hoffman does not respond, this Court may recommend dismissal of this case.

IT IS SO ORDERED.

Dated: March 18, 2024


NATHANAEL M. COUSINS
United States Magistrate Judge